

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

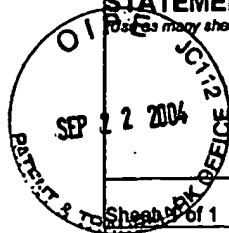
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/797,983
Filing Date	March 10, 2004
First Named Inventor	Mayeux, Jerry
Group Art Unit	1654 1655
Examiner Name	Unknown

Attorney Docket No: 30310-US-548

**US PATENT DOCUMENTS**

Examiner Initial*	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date if Appropriate
SMB	US-2001/0002406	05/31/2001	Robbins, Wendye R.	A61K 31/16		01/25/2001
	US-2001/0011083	08/02/2001	Barr, Teresa L., et al.	A61K 35/78		03/06/2001
	US-4,486,450	12/04/1984	Bernstein, Joel E.	A61K 31/16 5		07/14/1980
	US-4,536,404	08/20/1985	Bernstein, Joel E.	A61K 31/16 5		06/16/1983
	US-6,197,823	03/06/2001	Barr, Teresa L., et al.	A61K 31/16		09/29/1999

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
--------------------	---------------------	------------------	---	-------	----------	----------------

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>4</sup>
SMB		CHATTEM, "CAPZASIN-HP", Product packaging for arthritis pain relief, CAPZASIN-HP contains purified capsaicin, natural ingredient; Capsaicin (0.075%), (2000).	
		DEWITT, DAVE, "THE CHILE PEPPER ENCYCLOPEDIA", William Morrow and Company, New York, (1999), 118-136	
		DEWITT, DAVE, et al., "THE HEALING POWERS OF PEPPERS", Three Rivers Press, New York, NY, 1982, pp.92-131, with Chile Pepper recipes and folk remedies for better health and living, (1998), 92-131	
		DEWITT, DAVE, et al., "THE WHOLE CHILE PEPPER BOOK", Little, Brown and Company, Boston, (1990), 76-79; 182-183	
		STIEFEL, "CAPSAGESIC-HP", Product packaging for CAPSAGESIC-HP Cream, CAPSAGESIC-HP Cream contains capsicum oleoresin (Capsaicin 0/075%), (2000).	

EXAMINER

S.B. McBurnick-Ewaldt

DATE CONSIDERED

6.30.05

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 606. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached